

THE HONORABLE THOMAS S. ZILLY

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

GLACIER NORTHWEST, INC.,

Plaintiff,

v.

CEMENTAID INTERNATIONAL
MARKETING, LTD.,

Defendant.

Case No. 2:18-cv-00556 TSZ

**DECLARATION OF STEVEN
BROWER IN SUPPORT OF
GLACIER NORTHWEST, INC.'S
OPPOSITION TO CEMENTAID
INTERNATIONAL MARKETING,
LTD.'S MOTION TO DISMISS
AMENDED COMPLAINT**

**NOTE ON MOTION CALENDAR:
DECEMBER 14, 2018**

I, Steven Brower, declare:

1. I am an attorney, duly licensed in the State of California to practice for over 37 years, and I have been admitted *pro hac vice* as attorney of record for Plaintiff Glacier Northwest, Inc. in this action. I have personal knowledge of the facts set forth in this declaration and if called to testify as a witness, I could and would testify competently thereto as set forth herein.

2. I have reviewed the Marketing and Material Supply Agreement ("Agreement") between Glacier Northwest, Inc. and Defendant Cementaid International Marketing, Ltd., executed on December 31, 2001.

{18117/052/01823017-1}

ISO OPPOSITION TO MOTION
TO DISMISS
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DECLARATION OF STEVEN BROWER
BROWER LAW GROUP

25201 La Paz Road, Suite 202
Laguna Hills, California 92653
Telephone: (949) 668-0825

3. Section 12.1 of the Agreement states:

12 INDEMNIFICATION

12.1 CAIM hereby agrees to defend, indemnify and GNW harmless from and against any and all claims, actions, damages, liabilities, and expenses (including reasonable attorney's fees) arising from or occasioned by any of the following: (a) product liability related to the Schedule Products; (b) the negligence or intentional conduct of CAIM; or (c) infringement of any third-party's intellectual property rights in connection with the manufacture and sale of the Schedule Products.

I declare, under penalty of perjury, under the laws of the United States, that the foregoing is true and correct.

Executed this 10th day of December, 2018 in Laguna Hills, California

By: /s/ Steven Brower
 Steven Brower
 California SBN: 93568
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 Laguna Hills, CA 92653
 Telephone: (949) 668-0825
 Email: Steve@BrowerLawGroup.com

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DECLARATION OF SERVICE

I hereby certify that on 10th day of December, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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Attorneys for Defendant Cementaid International Marketing

DATED this 10th day of December, 2018, at Seattle, Washington.

s/Christopher M. Reed
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